



# ACT and PROCLAMATION Anent Intruders into Churches.

THE Lords of Her Majesties Privy Council, having taken to their serious Consideration a Representation made to them by Commission of the late General Assembly of the Church, and in the Name, and by the Warrant of the said Assembly, Of several Church-Irregularities and Disorders, as particularly, That where Churches happen to Vaik by Death or otherways, the Keys thereof are withdrawn by Disaffected Persons, and the Presbytery of the Bounds refused or hindred to have Access thereto, notwithstanding the frequent Orders and Acts made for Remedy of these Abuses. Secondly, That Persons having no Authority from or within this Church but pretending Warrant from the late Exauctorat Bishops, do take upon them to Preach, and Exercise other Acts of the Ministerial Function, contrary to all good Order, and to perpetuat an unhappy Schism. And thirdly, That where Intruders are removed from Kirks or roches by Sentence of the Lords of Council for their Intrusion, yet for eleiding of the said Sentence, they do either remove only to the Beder of a Neighbouring Paroch, and there continue to Exerce, or otherways Intrude else where, as if no Sentence had past against them. The saids Lords of Privy Council, for remedy of the saids Abuses, Do therefore, in the first place, in Prosecution, and for the more effect Execution of the Acts of Parliament, and Privy Council, made for that Effect, Require and Command all Sheriffs and their Deputs, and other Magistrats and Officers of the Law, within whose Bounds any Church is or shall happen to be Vacant, that upon Application made to them by the Presbytery of the Bounds, or any in their Name, they make and cause make the samen Patent to the Presbytery, and deliver or cause deliver to the said Presbytery, or any having their Warrant, either the usual Keys of the said Church, or new Keys in place of the former usual Keys abstracted and withdrawn, whereby the Church may be made freely patent, and that within the space of Fifteen Days after they shall be required thereto by form of Instrument taken against them personally for that effect, with Certification that if they refuse to make or cause make the laid Church patent to the Presbytery in manner foresaid, within the said space of Fifteen Days, Letters shall direct at the Instance of the Kirk-Agent, by Deliverance of Privy Council, summarily against them, charging them thereto *simpliciter*, within the space of Ten Days. And the saids Lords of Her Majesties Privy Council, Do hereby Order and Warrant the foresaid Letters to Direct conform to the said Certification, and that without prejudice of the pains contained in the Act of Parliament one thousand six hundred ninety eight against the saids Sheriffs and others who shall refuse to Obtemper in the Terms of the said Act; And in the next place The saids Lords of Privy Council, Do hereby expressly Prohibite and Discharge all Persons who neither had nor have any Authority from or within this Church, but pretend alleinnerly to a Warrant or Licence from the late Exauctorat Bishops, since they were Exauctorat, to take upon them to preach, or exerce any part of the Ministerial Function within this Church, or within any Kirk or Paroch there Certifying such as shall presume to preach or Exerce in the contrary, without being duly authorized and qualified according to Law. They shall not only be lyable upon due Information to be summarily Seased and Secured by the Magistrats of the Bounds in order to their Tryal; And which Magistrats are hereby authorized to sease them accordingly, But also that upon due Tryal they shall be banished by Sentence of the Lords of Privy Council furth of the Kingdom, conform to the Act of Parliament One thousand six hundred and nine hundred and three; And farder, the late Bishops Exauctorat as said is, are hereby discharged to grant any such Warrant or Licence, as they will be answerable upon their highest Perril. And thirdly, The saids Lords of Privy Council, Do hereby Declare and Certifie, That if any Minister or Preacher, either deprived by Sentence of the Lords of Privy Council, or not Qualified according to Law, and who shall be moved from any Church or Paroch as an Intruder by Sentence of the saids Lords, shall be found again Transgressing, by Intruding into any other Kirk or Paroch, contrary to the Act of Parliament one thousand six hundred ninety five, made against *Intruding into Church* without a legal Call and Admission thereto, he shall not only be summarily Seased and Secured upon due Information by the Magistrats of the Bounds to answer for his Transgression; And which Magistrats are hereby Authorized to Sease him accordingly; But also after Conviction, he shall be Banished furth of the Kingdom, conform to the saids Acts of Parliament: And the Lords of Her Majesties Privy Council do hereby Ordain these presents to be Printed and Published at the Mercat-cross of Edinburgh, and all other Places needful to the same, none pretend Ignorance.

Given under Our Signet at Edinburgh the Twenty first Day of March One thousand seven hundred and six, and of Our Reign the First Year.

Per Actum Dominorum Secreti Concili.

AL. MAITLAND, Cl. St. C.

GOD Save the Queen.